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PETER W. HEED  
RICHARD B. McNAMARA  
E. TUPPER KINDER  
JOHN C. BOECKELER



THE ATTORNEY GENERAL  
STATE HOUSE ANNEX, ROOM 208  
25 CAPITOL STREET  
CONCORD, NEW HAMPSHIRE 03301

ATTORNEYS  
ANNE E. CAGWIN  
DEBORAH J. COOPER  
ANDREW R. GRAINGER  
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RICHARD B. MICHAUD  
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WILLIAM B. ROBERTS

July 7, 1978

Mr. James M. Strauss  
Business Administrator  
New Hampshire State Prison  
281 North State Street  
Concord, New Hampshire 03301

Re: Title Opinion - Land obtained by the State  
from Moses B. Critchett and Ezekiel Reed  
Pursuant to Condemnation Proceedings  
Instituted by the Prison Commissioners on  
March 26, 1878.

Dear Mr. Strauss:

Having completed an examination of the land records of Merrimack County on file in the Registry of Deeds, it is my opinion that the State of New Hampshire has a valid and legal fee simple interest in the following described property:

The first tract, supposed to belong to Moses B. Critchett of said Concord, is bounded and described thus: beginning on the west side of the highway leading from Concord Street to West Parish, so called, at a stone bound standing on said side of said highway, about eighty-one feet northerly from the northeast corner of Calvary Cemetery, so called, and running thence westerly in a line parallel with the northerly line of said cemetery a fifty feet distant therefrom about eight hundred ninety two feet to a stone bound; thence north twenty-six and one-fourth degrees west - one

Legal Counsel (603) 271-3658  
Charitable Trusts (603) 271-3591  
Consumer Protection (603) 271-3641



Criminal Justice (603) 271-3671  
Eminent Domain (603) 271-3675  
Environmental Protection (603) 271-3679

OFFICE OF THE ATTORNEY GENERAL

Mr. James M. Strauss  
July 1, 1978

thousand one hundred seven feet to land of the Concord Granite Company; thence easterly by land of said Granite Company five hundred seventy one feet to land of Ezekiel Reed; thence southerly by said Reed's land and land of H.H.Chapman about two hundred twenty-eight feet; thence easterly at right angles one hundred fifty feet to the highway aforesaid; and thence southerly by said highway about one thousand seventy-eight feet to the place of beginning; and containing thirteen and 71/100 acres.

The second tract, supposed to belong to Ezekiel Reed of said Concord, is bounded and described thus: Beginning at the southeast corner of land of the Concord Granite Company on the westerly side of the highway hereinbefore mentioned and running thence southerly by said highway seventy-five feet; thence westerly at right angles with said highway ninety-five feet to land of H.H. Chapman; thence northerly by said Chapman land one hundred eight feet; thence westerly, through the house, by said Chapman land sixty-eight feet to the first tract herein named; thence northerly by said first tract and paralleled with the highway aforesaid land of the Concord Granite Company and thence easterly by said Concord Granite Company's land to place beginning; and containing 36/100 of an acre.

Mr. James M. Strauss  
July 7, 1978

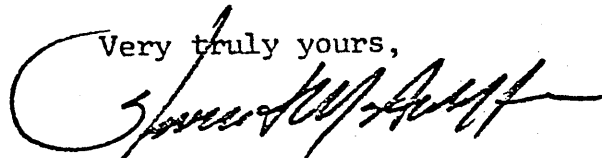
The State acquired its fee simple interest in the property in 1878 as a result of valid condemnation proceedings instituted by the Prison Commissioners under the express authority of Laws 1877, 66:4, as is recorded in the land records of Merrimack County Book 255 page 508.

This opinion is given subject to the following qualifications.

1. Such property rights as may arise from documents not of record.
2. Such unrecorded mechanics liens as may exist.
3. Such rights of use and possession as may exist.
4. Such discrepancies in description and area as might arise from a more detailed survey of the property in question.
5. Any easements or rights of way granted to utility companies or others.

Furthermore, this opinion is given for the exclusive use of the New Hampshire State Prison in its application for funds from the United States Government to be used in constructing a gymnasium on the described property, and any other attempted use of this opinion will render it void.

Very truly yours,



Steven J. McAuliffe  
Attorney

Division of Legal Counsel

SJM/pja